4. Did you understand that to apply to General Lee! A. Certainly.

Q. That was your understanding of the arrangement which you make with General Lee! A. That was my understanding of an arrangemeat which I gave voluntarity; General Lee's army was the first to surrender, and I believed that with such terms all the robel armies would surrender, and that we would thus avoid bushwhacking and a continuation of the war in a way that we would make very little progress with, having no organized armies to meet.

Q. You considered that the like terms were given by cheeral Sherman to the armies which surrendered to him? A. Yes, sir; and to all the armies that surrendered after that.

Q. And you held that so long as they kept their parcles

of after that.

Q. And you held that so long as they kept their parole of honor, and obeyed the naw, they were not subject to be tried by course? A. That is my opinion. I will state here that I am not quite certain whether I am being tried or who is being tried by the question asked.

Mr. ELDSENGE—I am not trying anylody. I am inquiring as to the President's proclamation, and to the views he entertained: did you give these views to the President.

cheral GRANT—I have stated those views to the Fresh-frequentity, and, as I have said, he desagreed with in those views; he insisted on it that the leaders it be punished, and wanted to know when the time id come that those prisoners could be tried; I told when they violated their parole.

Did you consider that that applied to Jeff Davis-No, sir, he did not take any parole.

He did not surrender? A. No, sir; it applied to no one who was captured, only to those who were oled.

person who was captured, only to those who were paroied.

Q. Did the President insist that General Lee should be tried for treason? A. He contended for it.

Q. And you caimed to him that the parole which General Lee had given would be violated in such a trial?

A. I did; I insisted on it that General Lee would not have surrendered his army and given up all their arms, it he supposed that after sorrendering he was going to be tried for treason and hanged; I thought we got a very good equivalent for the lives of a few leaders in getting all their arms and getting themselves under control, bound by their eachs to obey the laws; that was the consideration which I insisted upon we had received.

Q. Did the President argue that question with you?

A. There was not much argument about it; it was merely assertion.

Q. After you had expressed your opinion about it did he coincide with you? A. No, air, not then; he afterwards got to agreeing with no on that subject; I never daimed that the parole gave these prisoners any political right whatever; I thought that that was a matter entirely with Congress, over which I had no control; that simply as General-in-Chief, commanding the army, I had a right to stipulate for the autronder on terms which protected their lives; that is all I claimed; she parole gave them protection and exemption from putsliment for all offences not in violation of the rules of civilized warfare, so long as their parole was kept.

Q. Do you recollect at what time you had these con-

gave them presection and exemption from pusishment for all offences not in violation of the rules of civilized warfare, so long as their parois was kept.

Q. Do you recollect at what time you had these conversations? Can you state any particular time or up to any particular time when they were finished? A. The conversations were frequent after the inauguration of Mr. Johnson; I cannot give the time; he seemed to be anxious to get at the leaders to punish them; he would say that the leaders of the rebellion must be punished, and that treason must be made editors; he cared nothing for the men in the ranks, the common men; he would let them go, for they were led into it by the teaders.

Q. Was that prior or subsequent to his proclamation? A. It was subsequent, I think. Q. Do you recollect at any time urging the Promotent to go further in granting ammenty than he had gone to his proclamation? A. Just as I said before, I could not see any reason why the factod a volunteer raing to the rank of a General should exclude him any more than any other grades; with reference to the \$20,000 clause I thought that a man's success in the world was no reason for his being excluded from sammely, but I recollect afterward saying to the President that I thought the was right in that particular, and I was wrong.

Q. Was that said to you in conversation? A. I have heard him say it a unmber of times; he said it to me, and be said the my presence at the time that delegations were coming up to bim from the South.

Q. What persons do you recollect as being present at these conversations—I mean, what Southern men? A. I did not know them at all; I recollect that on one occasion he tasked to a delegation from Richmond in that way; I do not know of any other; I never changed my views; if he was going to give amnesty to a soldler at all, I did not see why the fact of a man's having risen to the rank of a General should be a reason for exclusing him.

I have given my opinion, perhaps, as to what has been done, but I do not think I advised any course myself, any more than that I was very antious tesces something done to restore civil governments in those States.

Q. Did you ever give your opinion at all to the President as to what should be done? A. I do not it did; after matters were done I was willing to expended for or against particular clauses.

Q. I suppose the President called on you for advice on those questions? A. I say I was in favor, and so expressed myself, of something being done to restore civil rule there immediately as sear as it could be done under the circumstances.

the circumstances.

Q. Did you suggest anything? A. No, sir.
By Mr. Woonsmos.—Q. I understand your position to be this: That you dot not assume to originate or inaugural entry policy, but that when any question came up and and your opinion was asked as to what the Fresident was going to do or had done, you gave an opinion?

A. That is it, exactly, and I presumed the whole committee so understood me; I have always been attentive to my own dutien, and tried not to interface with other people's; I was always ready to originate matters pertaining to the army, but I mover was willing to originate matters pertaining to the civil government, of the United Status; when I was asked my opinion about what had been done? I was asked my opinion about what had been done? I was easked my opinion about what had been done? I was asked no plan for civil government; I only gave my views on measures after they had been originated; I simply expressed anamicsly that something should be done to give some sort of control down there; there were no governments there when the war was over, and I wanted to see atoms government established, and wanted to see it done quickly; I did not pretend to say how it should be done or in what form.

By Mr. Elimings.—Q. I candine my questions entirely to war and peace. In expressing the opinion that something should be done and done quickly, did you make a suggestion of what ought to be done? A. No, sir; I will state here that before Mr. Lincoln's assumination the question about issuing a proclamation of some sort and establishing mem sort of civil government here was up, and what was done then was continued after Mr. Johnson came into office.

Q. Did you give your opinion on that after it was

A. I say I have given my opinion on particular passages of it.

Q. Tell us what conversation you had with the President on the subject, as far as you recollect. I disagreed with two clauses of the proclamation as to the pian of setablishing provisional governors there; that was a question which I know nothing about, and which I do not recollect having expressed an opinion about, the only opinion I recollect having expressed on that subject at all was to the Secretary of war; I thought there would be some difficulty in getling people down there to accept offices, but I found afterward that they were ready snough to take thems.

By the cameras—Q. If I undersand you correctly, the only opinion you expressed and the only advice that you gave were in reference to the civil sade? A. Vaching further than that I was anxious that concenting about the done in reference to the civil sade? A. Vaching further than that I was anxious that concenting about the sense of a second that one of the guestion, and not in reference to the civil sade? A. Vaching further than that I was anxious that concenting about the sense to restore some sort of government.

Q. But you gave no advice as to what should be done.

By Mr. Rismons—Q. State the conversation you had on that subject, A. I have had repeated conversations with the Fraulent, but I cannot specify what those conversations were any more than I have already done.

Q. Did you recommend certain generals in the Concents army to the President for pardon who fell within exemptions? A. Yes, sir; I recommended General Longuister, I think, a year and a haif ago; and, although I cannot recollect the name of anybody else, I think I recommended several others.

Q. Do you recollect recommending J. G. French, a graduate of West Point? A. He was and animation of the line.

Q. Was he a graduate of west Point? A. He was and animation of the line.

Q. Was he a graduate of west Point? A. I think so but not a classimic of these.

Q. Was there are strained we considered in the resolution of feed.

H Q. Tell us what occaveration you had with the Presi-

edoraements; my recollection is that I made some endoraement as to his general character, which was high, up to the breaking out of the war, as any man's could be.

Q. Were you acquainted with him previous to the breaking out of the war! A. Oh yes, sir, for many years; I don't think I recommended him, but I may have done so.

Q be you recoliced P. D. Roddy, and to be a robel brigadier general? A. Yes, sir. I do not recollect what my endoraement was in Roddy's case, but I know that if I had it do it over again I would recommend his pardon very quickly, and I presume I did eo. If he is not pardoned yet I would be very giad to sign a recommendation for him now.

Q. Ito you recollect any other officers of the robol army who were recommended for pardon by you? A. No, sir, I cannot monition any. You have already gone over a bager list than I thought I had recommended id on not think I recommended General Pickett for pardon. I recollect receiving letter after latter from him, and letters were sent to me time and again in his behalf. He was especially uneasy lest he should be tried by a unlitary commission, or account of some men whe were executed in North Carolina. I do not recollect ever having talked to the President about him. I will furnish whalever is in my office shout him. I will furnish whalever is in my office shout him. I will furnish whalever is in my office shout him. I will furnish whalever is in my office about him. I will furnish whalever is in my office about him. I will furnish whalever is in my office about him. I will furnish whalever is in my office about him. I will furnish whalever is in my office about him if received one app a ratter another in Pickett's behalf, not only from him, but from officers in the army who had known him before the war.

Q. Do you know whether he has been pardoned yet?

A. I do not know. I was not in favor of his pardon, nor was I his favor of his being tried by a Military Commission. Ething the decided his him as a commander in North Carolina. He wanted to be able to go

was on the James river when McClellan was in command.

Q. Did you ever advise the pardon of General Lee?

A. Yes, sir; General Lee forwarded his application for annesty through me, and I forwarded his application for annesty through me, and I forwarded his proposed through me, and I forwarded his application for annesty through me, and I forwarded his papelon of General Johnston immediately after the surrender of his army, on account of the address he delivered to it, which I considered in good tone and spirit, I recollect speaking of that, and saying that I should be glad if General Johnston received his pardon on account of the analy manner in which he addressed his troops.

By the Charkean-I supposed his pardon would have a good effect; do not remember going at one time to see the President with General Hillyer, but it was relative to an appointment he (Hillyer) wanted; I do not recollect that the conversation went beyond the range of stating what I knew about Hillyer; I think I met Hillyer once or twice afterward when the President was present, but I have no recollection of any conversation with the President on the subject of general amnesty, or on the subject of general amnesty, or on the subject of general amnesty, or on the subject of general amnesty, and never was in favor of it, until the time shall come when it is as fe.

Q. You state that you differed with the President as to

Q. Me you give any opinion against it? I was in favor of that or anything else which looked to civil goverament until Congress could meet and establish goverament until Congress could meet and establish goverament whatever; I was not in favor of anything or opposed to anything particularly; I was suinjy in favor of having government there; I did not pretend to give my, judgment as to what it should be; I was perfectly willing to leave it to the civil department; I asked no person what I should do in my duties; I was willing to take all the responsibility, and did not sent to give my views as to what the civil branch of the government should do.

Q. Some of these Governors were military officers and held rank in the army? A. That was during the rebellion; Mr. Johnson was Military Governor in Tennesses, and General Hamilton in Texas; do not recollect that inner were any other Military Governors; I looked upon them as equally provisional.

By Mr. Thoraxa—Q. You have stated your opinion as to the rights and privileges of General Lee and his solders; did you mean that to include any political rights? A. I have explained that I did not; there was no difference of opinion on this point between President Johnson and me, but there was as to whether the parole gave them any privileges or rights.

By Mr. Enouwer—Q. He claiming that the time most cente when they could be tried and putuished, and I claiming that the time would not come, except by yiolation of their parole; I claimed that I gave them no political rights provided to you that I ind a right as military commander to arrange terms of surrender which would protect the lives of these prisoners; I believe that it is conceed by everybody that I had that right; I know that Mr. Lincoln conceded is at the time.

By Mr. Bourweit,—Q. How recently has the President Opinion on these parole; I claimed that I gave them no political rights for the military commander to arrange terms of surrender which would provide the president of the was that the would recently the provided

Judge Clause's Testimony.

The Hon. Salmou P. Chase, who was examined May 25, stated in reply to a question of the chairman that he knew of no reason why the government did not bring on the trial of Jeff Davis; when the war was practically closed by the capture of Davis, and before that time, the District and Circuit were held in Virginia by the District Judge, in the absence of a justice of the Supreme Court; the indictment against Davis was found in a circuit court, over which the District Judge presided; the Circuit Courts had been regularly held by the same District Judge ever since, and he knew of no reason why Davis could not be brought to trial if it was intended that he should be tried by the civil court on the indictment which was found at that time. The Chief Justice stated that he recollected no conversation on that subject since the time of the indictment. The Caronit, of which the District of Virginia is part, was allotted to him shortly after he went on the Bench in Dethe rights of those paroled prisoners; the only correspondence that I could have had en the subject of among the process of th judges that without suthority to make allotments we had no jurisdiction to hold courts ourselves; I said to the United States District Attorney for the District judge in holding the Circuit Court if the order first mentioned had been knewed; I did not see the law changing the circuit for some time after it was passed, and when I did see it I conferred with every one of the judges about it except the judge then in California, and we all agreed that any judgment entered in any court by a judge of the Supreme Court, except in the first and second districts, which were not changed, might be liable to be reversed on order, and for that reason that the courts should be left to be held by the district judge until a new allotment should be authorized by Congress; the act I refer to is the act of July 22, 1866, alloring sween of the dromits; the President sant for me to the White House in August, 1866, and asked me my views as to the trial of Davis; a trial in Viginia was suggested, and also the possibility of a trial in Tennessee, and something was said about a trial by military commission, or in this city, upon indictment, if one should be found by the Supreme Court of the District; I said to, him that the trial of Davis, as to time, manner and place, was, I thought, a matter exclusively for the consideration of the Exceptive Department of the government, do not wish to express any opinion; that when I held the court I should try anyonal women and place, or noce of trial; that was about al; I did not think she trial of Davis a matter for me to theorize about; it was a question at that time whether M. Davis should be tried by a military or by a civil court; I would not express any desire or unwillingness to have the indictment was founded. The creuit or which the District of Virginia is part was allotted to me shortly after I went on the bench, in December, 1864; I then had a difference with the President of President in election to holding a court in that circuit.

Q. State the conversalion of whether with the Preside

Testimony of Attorney tieneral Speed.

coming from me, inough there are expressions scattered here and there arrough it that I think I must have used; it begins, "The evils which spring from the ussetted state of our government with be acknowledged by all," and assett the necessity of sailing it by adherence to the constitution, or by some plan or course of annisistration which will be within the constitution, and the admission of representatives of the Southern States, is one of members of Congress from the Southern States, is one of members of Congress from the Southern States, is one if do not preceded anything upon the subject, except the general right of the States to be represented.

Q. Was the argument which you prepared, in your own estimation, a paper covering the entire ground of a vatio message, sunctionality, and in what you would regard as the proper form of a voto message. A. It was in that form; the President in the representative which he had given, and in which we been signed and sense in as a mensage, but there was he been signed and since in as a mensage, but there was he pleased.

Q. This work was done by you on the request of the President is the was obtained and there was to the done; it was dastinctly understood ing that was to be done; it was dastinctly understood in that he was to change, after or modify it as he pleased.

Q. This work was done by you on the request of the President is the North, and that Congress I are the popular februication in the North, and that Congress I are the popular februication in the North, and that Congress I are the popular februication in the North, and that Congress I are the popular februication in the North, and that Congress I are the popular februication in the North, and that Congress I are the popular februication in the North, and that Congress I are the popular februication in the North, and that Congress I are the popular februication in the North, and that Congress I are the popular februication in the North, and that Congress I are the popular februication in the North, and that C

since troubles first broke our, happroved of his course, very the crecultive administration; we have an ambiet of the crecultive administration; we have an ambiet of the crecultive administration; we have an ambiet of the crecultive administration; and the control of opinion; I saw something of him again, just before he went to Tennessee, soon after the new imagination of the administration, and we agreed them. After the beauty and the many that it is a first the control of the administration, and we agreed them. After the beauty and the perhaps would not him after the beauty of the fact that a friend of his induced me to believe that he would be plad to see ma. I did see him, and in the conversation which we there is a seen as a first seen him except to the fact that a friend of his induced me to believe that he would be plad to see ma. I did see him, and in the conversation which we there is a seen as a seen as a first seen and of the dangers which I required politoquestions and of the dangers which I required to the public affects of the country—occasionally, of course, we would speak of mea in counsection with it.

Q. Have you at any time within the last two years had any conversation with him.

Wiffium S. Hillyer's Testimony.

By Mr. Etomines—Q. Bid you hear any conversation and any time tewers in the Freedom and General Grant on the subject of annesty, or pardoning rebus? A. I was present as a two hours' interview about February I, 1866, when there was a general discousion of all matters portaining to the country of the provide of the country of the pr

reconstruction—in reason to the rights of the States to representation in Congress.

Q. Regardism of the will of Congress? A. Regardisms of the will of Congress—regardism of the will of that part of Congress—regardism of the will of that part of Congress—By Mr. WHILLAMS—What part of Congress do you refer to? A that part representing the States which was recognized as Congress.

By the transman—Did you express that opinion in view of what you believed to be the public sentiment of the majority of the people of the North, or as your view of the President's power under the Countitation? A. I spoke of it as what I regarded to be the muliment of the majority of the people of the North, and of the republican party, as I then stated, and in my speech.

Q. You seen to have found out you have been ministen in that? A. I am, air, very decidedly: I found out that I was ministen in what? A. I am air, very decidedly: I found out that I was ministen in that speech? A. If I could look at that speech I could rose and the party at that time.

Q. State now precisely what you stated in that conversation, and I was taken by surprise as to the questions asked me; it is impossible for me to recollect a conversation which took place two years ago.

Q. I would like to have as much as you can recollect of the you will have an opportunity of correcting your testimony? A. This speech was written immediately after this conversation, and was an embodiment of my recollection of the points that were made in the conversation.

Q. Allow me, then, to ask you this question, if you do not recollect sufficiently so as to make a specific statement: did General Grant express to the Fresident his views as to the question of the amnesty which the Prosident should grant, and did the President his view as to the question of the amnesty which the Prosident should grant, and did the President his view as to the question of the amnesty which the Prosident should grant, and did the President his view as to the question of the amnesty which the Prosident sho

I should say it my speech what I stated in the conversa-tion.

Q. Did you say anything in your speech not authorized in your conversation with him—anything he did not wish you to say? A I may have used figures of speech: I may have used dearmolatory language.

Q. I mean in solutance? A. The substance of the speech was the substance of that conversation.

Q. And the points made? A. Yes.

Q. And was it, as you understand, it entire accord with the centiments of the President, as expressed to you in that conversion? A. There was no discent in the party.

with the featiment of the party.

With the featiment of the party.

Mr. Elizande, I suggest the gentleman be allowed to refer to his speech to refresh his memory.

By Mr. Massiani.—Q. Was it not entirely is according to the views of General Grant A. General Grant was preach, out I cannot now make my statement that was made by General Grant on that occasion except the one I refer to in making the speech; I only remember the fact that there was entire Earmony in the party, and so exceptions taken to any propertions laid down, to my best recollection; but as to any propertions and down, to my best recollection; but as to any positive agent or discart identification on remember.

By Mr. Withname—Q. Be good enough to say is not-general Grant a very situal, reserved man, who takes very little? A. That is his reputation, and a just one.

Q. Did he iske any large share in the conversation to which you refer? A. Yes, he joined in the conversation, the conversation was a general one, in which questions were asked and answers given.

Q. Was your speech read by the President after its delivery? A. I think he so stated to me, although! I am not positive about that.

were asked and answers given.

Q. Vas your speech rand by the President ofter its devery? A. I think he so exted to me, although I am not positive about that.

Q. Did he approve it? A. I know there was a reference made to the subted in a wasequent conversation, to us I do not know that any special remarks were made about it; but he speck of it, and I should lough from the think that he read it.

Q. Did not ask you to destall the conversation but it do not know that any special remarks were made about it; but he speck of it, and I should be approved of it.

Q. I do not ask you to destall it he conversation, but it has be impression that he did approve of it is a said making in the way of disapproved to the said making in the way of disapproved to the precedent, and yourself, and yourself, and yourself, and yourself which is easily that he speck that he said that he approved it.

By Mr. Entange—Q. How long affer the conversation between forcers (form, the Precident was developed within a day or were the speck that it was so one at local and any or word which a said was he approved it.

By Mr. Entange—Q. How long affer the conversation their words of the speck that it was so one at local and any or words they it was as one at local and any or words they it was as one at local and the did not one of the speck that it was a sone at local and the did not one of the speck that it was a sone at local and the did not one of the speck that it was a sone at local and the did not one of the speck that it was a sone at local and the sone of the speck that it was a sone at local and the sone of the speck that it was a sone at local and the sone of the speck that it was a sone at local and the sone of the speck in the sone that the sone thousand two hundred and early to make a flew and the sone of the speck that it was a sone at local and the sone of the speck that it was a sone of the speck that it